

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	ORDER OF
)	
or Suspension of the Educator)	SUMMARY SUSPENSION
)	
Certificate of Jay Bradley McJunkin)	
)	
Certificate #170739)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 9, 2004. The State Department of Education (Department) will send a notice of the possible suspension or revocation of his South Carolina educator certificate #170739 (certificate) to Mr. Jay Bradley McJunkin by certified mail, return receipt requested, delivery restricted to addressee. In the interim in accordance with S.C. Code Ann. §1-23-370(c) (1986), the Department requested that the State Board summarily suspend Mr. McJunkin's certificate until a due process hearing is held, or this matter is otherwise resolved. The Department has reason to believe, due to the nature of the misconduct that led to his arrest, that Mr. McJunkin, may pose a threat to the health, safety, or welfare of students that may be under his instruction. This summary suspension will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a summary suspension pending due process proceedings. After considering the evidence presented by the Department, the State Board voted to summarily suspend Mr. McJunkin's certificate until a due process hearing is held, or this matter is otherwise resolved.

Mr. McJunkin holds a valid South Carolina certificate with over ten years of experience credit. Mr. McJunkin had a teaching contract with the Anderson County School District One (District) for the 2003 – 2004 school year. Mr. McJunkin was arrested on June 1, 2004, following an investigation into allegations that he sexually assaulted a twelve-year old male student. Mr. McJunkin was charged with five counts of Criminal Sexual Conduct with a Minor and one count of Committing or Attempting a Lewd Act with a Minor.

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). Just cause includes: “immorality; any conduct involving moral turpitude; unprofessional conduct; and crime against the law of this State or the United States.” S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Ann. Regs. 43-58 (1992). In accordance with S.C. Code Ann. § 1-23-370(c) (1986), “If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action.” The State Board finds that there is reason to believe that Mr. McJunkin may pose a threat to the welfare of students that may be under his instruction. Accordingly, the State Board thereby summarily suspends Mr. McJunkin’s certificate # 170739 until a due process hearing is held, or this matter is otherwise resolved.

South Carolina State Board of Education

By: /S/ Mary Jones
Dr. Mary Jones
Chair

Columbia, South Carolina
June 9, 2004